

JOHN CONYERS, JR., Michigan  
CHAIRMAN

HOWARD L. BERMAN, California  
RICK BOUCHER, Virginia  
JERROLD NADLER, New York  
ROBERT C. "BOBBY" SCOTT, Virginia  
MELVIN L. WATT, North Carolina  
ZOE LOFGREN, California  
SHEILA JACKSON LEE, Texas  
MAXINE WATERS, California  
WILLIAM D. DELAHUNT, Massachusetts  
ROBERT WEXLER, Florida  
STEVE COHEN, Tennessee  
HENRY C. "HANK" JOHNSON, JR., Georgia  
PEDRO, PIERLUISI, Puerto Rico  
MIKE QUIGLEY, Illinois  
LUIS V. GUTIERREZ, Illinois  
BRAD SHERMAN, California  
TAMMY BALDWIN, Wisconsin  
CHARLES A. GONZALEZ, Texas  
ANTHONY D. WEINER, New York  
ADAM B. SCHIFF, California  
DANIEL B. MAFFEI, New York  
LINDA T. SANCHEZ, California  
DEBBIE WASSERMAN SCHULTZ, Florida

LAMAR S. SMITH, Texas  
RANKING MINORITY MEMBER

F. JAMES SENSENBRENNER, JR., Wisconsin  
HOWARD COBLE, North Carolina  
ELTON GALLEGLY, California  
BOB GOODLATTE, Virginia  
DANIEL E. LUNGREN, California  
DARRELL E. ISSA, California  
J. RANDY FORBES, Virginia  
STEVE KING, Iowa  
TRENT FRANKS, Arizona  
LOUIE GOHMERT, Texas  
JIM JORDAN, Ohio  
TED POE, Texas  
JASON CHAFFETZ, Utah  
THOMAS ROONEY, Florida  
GREGG HARPER, Mississippi

ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

September 15, 2009

The Honorable Glenn A. Fine  
Inspector General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Inspector General Fine:

I am writing to request that your office investigate whether any Department of Justice grant funds have been applied for or received by the Association of Community Organizations for Reform Now, otherwise known as ACORN.

Since 1994, ACORN has received over \$53 million in federal funds, yet it has been plagued with numerous instances of wrong-doing and fraud. These include the embezzlement of approximately \$1 million by the brother of the organization's founder, which was not reported to ACORN's Board or law enforcement officials until the theft was made public by the media in 2008, and voter registration fraud allegations that have led ACORN to be subject to investigation in 15 states.

Equally troubling is an October 22, 2008, *New York Times* article describing an internal report prepared for ACORN expressing concerns about "potentially improper use of charitable dollars for political purposes; money transfers among [ACORN's] affiliates; and potential conflicts created by employees working for multiple affiliates."<sup>1</sup>

It was likely just this sort of information that led the U.S. Census Bureau to inform ACORN last week that it has terminated their partnership for the 2010 Census stating, "Unfortunately, we no longer have confidence that our national partnership agreement is being effectively managed through your many local offices."<sup>2</sup>

<sup>1</sup> Stephanie Strom, "Acorn Report Raises Issues of Legality," *The New York Times* (October 22, 2008).

<sup>2</sup> Major Garrett, "U.S. Census Bureau Severs Ties with ACORN for 2010 Census, Fears Group's Bad Reputation Could Undermine Count," available at <http://whitehouse.blogs.foxnews.com/2009/09/11/us-census-bureau-severs-ties-with-controversial-group-acorn/>.

The Hon. Glenn A. Fine  
September 15, 2009  
Page Two

Based on ACORN's previous conduct and recent reports suggesting continued evidence of fraudulent activity, I request that your office investigate the following:

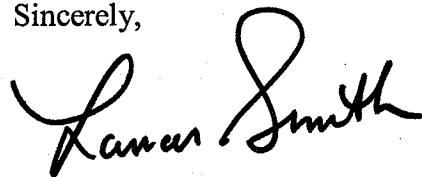
1. Whether ACORN has applied for federal funds through any Department of Justice-administered grant programs;
2. Whether ACORN has received any federal funds through any Department of Justice-administered grant programs; and
3. If ACORN has received federal funds through any Department of Justice-administered program, what types of controls were placed on the funds, did any Justice Department office conduct audits or reviews of ACORN's use of the funds, if so, what did these audits or reviews conclude, and was there any evidence of criminal conduct, fraud, or misuse of the funds.

If in the course of your investigation you find any evidence of criminal conduct I presume that such evidence would be referred to the appropriate U.S. Attorney for prosecution. Given that Congress continues to consider legislative proposals related to ACORN's activities, I ask that you provide a preliminary reply to the above questions by September 30, 2009, or as soon thereafter as is feasible.

Thank you for your consideration of this request. Your work over the years to ensure that federal funds administered through Department of Justice grant programs has greatly informed Congressional decisions with regard to the Department's grant programs.

I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Lamar Smith". The signature is written in a cursive, flowing style.

Lamar Smith  
Ranking Member

cc: The Honorable John Conyers, Jr.